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September 26, 2003

**VIA ELECTRONIC MAIL**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
TW-A325  
Washington, D.C. 20554

Re: *ET Docket No. 02-135*  
*NOTICE OF EX PARTE COMMUNICATION*

Dear Ms. Dortch:

Pursuant to Section 1.1206(a)(1) of the Commission's Rules, we are writing to report that on September 17, 2003, representatives of the License-Exempt Alliance ("LEA") and undersigned counsel met with Jennifer Manner, Wireless Advisor to Commissioner Kathleen Q. Abernathy, to discuss recent developments in the license-exempt broadband industry and the legal issues relating thereto, as discussed in the LEA's comments filed in the above-referenced proceeding. The LEA representatives in attendance were Jay Maxwell (Pixius Communications, Inc.), Mike Scullin (Vivato, Inc.) and Neil Mulholland (Prairie I-Net). The attached materials were included in the LEA's presentation.

Should there be any questions concerning this matter, please contact the undersigned.

Very truly yours,

/s/

Robert D. Primosch  
Counsel for the License-Exempt Alliance

cc: Jennifer Manner